



X3
Docket No.: XEN/001

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

USE OF NUCLEIC ACID LIBRARIES TO CREATE TOXICOLOGICAL PROFILES,

the specification of which was filed on February 22, 2002, as Application No. _____.¹

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, §§ 119 and 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

60/270,781 February 22, 2001 pending
(Application No.) (Filing Date) (Status)

As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

¹ I hereby authorize our attorney/agent to fill in the number when it becomes available.

James F. Haley, Jr., (Reg. No. 27,794)
Barbara A. Ruskin (Reg. No. 39,350)
Z. Ying Li (Reg. No. 42,800)
Haitao Sun (Reg. No. 48,546)

Send correspondence to: James F. Haley, Jr.
FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020-1104

Direct telephone calls to: James F. Haley, Jr.
(212) 596-9000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor Bassil Dahiyat

First Inventor's signature:  Date: 2/22/2002
Residence 3829 Luna Court, Atladena, CA 91001, USA

Citizenship The United States of America

Post Office Address 3829 Luna Court, Atladena, CA 91001, USA

Full name of second joint inventor Min Li

Second Inventor's signature: _____ Date: _____

Residence 8610 Northfields Circle, Lutherville, MD 21093, USA

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Post Office Address 3829 Luna Court, Atladena, CA 91001, USA

Full name of second joint inventor Min Li

Second Inventor's signature:  Date: 3/5/2002

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